



ILLINOIS COMMERCE COMMISSION

December 14, 2006

Union Pacific Railroad Company,
Petitioner,

Vs.

Stephenson Township,
Respondent.

Petition for an Order authorizing closure of a grade crossing (DOT 167 763A)
at the Intersection of Petitioner's tracks and TR 305 also known as County
Road 650N or Lois Lane.

Mr. Roy Farwell
Union Pacific Railroad Company
100 North Broadway, Suite 1500
St. Louis, MO 63102

Dear Mr. Farwell:

Receipt is acknowledged of the original and two (2) copies of the Petition filed December 14, 2006 in the above matter.

All future correspondence/pleadings should be filed with an original and two (2) copies and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, IL 62701 or you may file the original electronically through E-docket if you have an account. To apply for an account, please log on to www.icc.illinois.gov and apply for an E-docket account.

Processing and Information Section

KI

Cc: Mr. Mack Shumate, UP
Mr. Dave McKernan, UP
CT Corporation System, UP
Mr. Jerry Cunningham, Marion County
Mr. John Hays, Stevenson Township

4. Township Road 305 also known as County Road 650 N or Lois Lane, is a public road maintained by Stephenson Township that proceeds east from Illinois County Road 1200 E and crosses over Union Pacific single main track at a 90 degree angle at grade at approximate railroad milepost 258.00 of Petitioner's Mt. Vernon Subdivision. This grade crossing ("Subject Crossing") has been given DOT number 167 763A.

5. A copy of a portion of a state highway map, with the general area of interest designated by red arrow is attached as Exhibit 1. A copy of a close-up detailed map showing the area of interest with the Subject Crossing marked, is attached as Exhibit 2.

6. Lois Lane is a chip and seal road less than 13 feet wide. It has an official vehicular count averaging fewer than 75 cars per day, with most traffic consisting of private automobiles with few trucks. There are no posted speed limits. The road continues east of the crossing.

7. The Subject Crossing is 16 foot wide built from sectional timber crossing. It is equipped with crossbuck signs and yield signs on each side.

8. The Subject Crossing shows no accident history.

9. Petitioner's annual maintenance at the crossing is approximately \$500 per year. The responsibility for maintaining the approaches lies with Stephenson Township.

10. The public crossings on either side of the subject crossing are:

(a) Township Road 293 also known as County Road 700 N or Church Road. This roadway is maintained by Stephenson Township and crosses Petitioner's right of way and tracks

at grade (DOT No. 167 764G) approximately 0.5 miles north of the Subject Crossing. Church Road is a 15 foot wide chip and seal roadway with an un-posted speed limit. The crossing surface is 16 feet wide and is made of sectional timber. The Church Road crossing has an estimated daily traffic count of approximately 150 vehicles per day including some trucks and farm equipment. Church Road is currently equipped with crossbucks and yield signs on each side of the tracks. However, this crossing is currently covered by an executed Agreement between Petitioners Stephenson Township and the Illinois Department of Transportation for installation of flashing lights and gates, approved by X Resolution X-12503 on September 28, 2006. Installation should be completed by September, 2007.

(b) Township Road 317 also known as County Road 600N or England Road is maintained by Stephenson Township and crosses Petitioner's right of way and tracks at grade (DOT No. 167 762T) approximately 0.54 miles south of the Subject Crossing. England Road is a 14 foot wide chip and seal roadway with an un-posted speed limit. The crossing surface is 24 feet wide and is made of sectional timber. The England Road crossing has an estimated daily traffic count of approximately 175 vehicles per day including some trucks and farm equipment. England Road is currently equipped with crossbucks and yield signs on each side of the tracks. However, this crossing is the subject of an Agreement which is in the process of being executed between Petitioners Stephenson Township and the Illinois Department of Transportation for installation of lights and gates. Anticipated completion would be one year after execution of the Agreement, presumably some time in early 2008.

11. All costs of this proposed project would be borne entirely by Union Pacific Railroad Company.

12. Adverse travel due to the closure of the Subject Crossing would result under this proposal in having to detour 3 miles either north or south of the Subject Crossing.

13. Emergency services would not be significantly impacted by the closure of the Subject Crossing.

14. The changes would be in the interest of public convenience and safety.

WHEREFORE, based on the above, Petitioner requests that the Commission conduct such investigation and hearings as are proper and issue an Order authorizing the following:

- (a) Closure and demolition of the existing Township Road 305 (Lois Lane) grade crossing with installation of appropriate barricades;
- (b) All costs to be assessed to Union Pacific Railroad Company;
- (c) Such other relief as is deemed appropriate.

UNION PACIFIC RAILROAD COMPANY

BY: 

Roy P. Farwell
100 North Broadway, Suite 1500
St. Louis, MO 63102
Telephone: (314) 331-0566
Facsimile: (314) 331-0564

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was mailed first class mail, postage prepaid, this 12th day of December, 2006, to:

Mr. Jerry Cunningham
Marion County Engineer
901 W. Elm Street
Salem, IL 62881





